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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

Case No. 09-14557 (ALG)

ROCK 49<sup>TH</sup> REST. CORP.  
d/b/a City Lobster & Steak,

Debtor.

Tax I.D. No. 13-3972761

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**ORDER SCHEDULING A HEARING ON SHORTENED  
NOTICE ON THE DEBTOR'S FIRST DAY MOTIONS**

**UPON** the motions (the "First Day Motions") of the above-captioned debtor and debtor-in-possession (the "Debtor"), by its attorneys, Rattet, Pasternak & Gordon-Oliver, LLP, and its request for an Order Scheduling Hearing, and sufficient cause appearing therefore, it is hereby

**ORDERED**, that a hearing (the "Hearing") shall be held before the Honorable Alan S. Gropper, United States Bankruptcy Judge, on July 31, 2009 at 10:00 a.m., or as soon thereafter as counsel may be heard, at the United States Bankruptcy Court, One Bowling Green, , Courtroom 617, New York, New York:

- 1) Debtor's Motion for Order Seeking Authority (I) to Use Cash Collateral Pursuant to Bankruptcy Code Section 363(C)(2) and (II) Granting Adequate Protection Therefor (the "Cash Collateral Motion");

- 2) Application for Authorization for the Debtors to (1) pay and honor certain prepetition claims for (i) wages, salaries, employee benefits and other compensation, (ii) withholdings and deductions and (iii) reimbursable expenses; (2) continue to provide employee benefits in the ordinary course of business; (3) pay all related costs and expenses; and (B) directing banks to receive, process, honor and pay all checks presented for payment and electronic payment requests relating to the foregoing (the “Employee Payroll Motion”);
- 3) Application for Order Extending Time for Debtor to File Schedules of Assets and Liabilities and Statements of Financial Affairs (“Schedules Motion”); and
- 4) Such other and further relief as is just and proper under the circumstances; and it is further

**ORDERED**, that a copy of this Order Scheduling Hearing together with the First Day Motions and Exhibits thereto shall be served upon (a) the United States Trustee; (b) counsel to the Debtor’s secured creditors; and (c) the Debtor’s twenty (20) largest unsecured creditors by facsimile, electronic mail, or overnight delivery on or before July 24, 2009, which shall be deemed good and sufficient service hereof; and it is further

**ORDERED**, that objections to the relief requested in the First Day Motions must be in writing, stating with specificity the basis or bases on which such party in interest objects to the within Motions, filed with the Bankruptcy Court at the address stated above (with a copy to Chambers) and must be served upon Debtor’s counsel so as to be received at least **two (2)** ~~three~~ ~~(3)~~ days before the Final Hearing.

Dated: New York, New York  
July 24, 2009

/s/ Allan L. Gropper  
HONORABLE ALLAN L. GROPPER  
UNITED STATES BANKRUPTCY JUDGE